

**Minutes of the  
North Carolina Charter School Advisory Board  
Education Building  
301 N. Wilmington Street  
Raleigh, NC 27601-2825  
September 8, 2014**

Attendance/NCCSAB	Alan Hawkes Joseph Maimone Phyllis Gibbs Helen Nance Sherry Reeves Mike McLaughlin	Alex Quigley Eric Sanchez Tammi Sutton (absent) Becky Taylor (absent) Cheryl Turner Steven Walker
Attendance/SBE/DPI	<i>Office of Charter Schools</i> Joel Medley, Director Lisa Swinson, Consultant Deanna Townsend-Smith, Consultant Robin Kendall, Consultant Cande Honeycutt, Consultant Shannon Sellers, Consultant Kebbler Williams, Consultant Darrell Johnson, Consultant	<i>SBE Attorney</i> Katie Cornetto  <i>Attorney General's Office</i> Laura Crumpler

**CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order at 8:48 am by Chair Helen Nance. Mr. Joe Maimone led the Pledge of Allegiance. Ms. Nance read the Code of Ethics and the CSAB Mission Statement. She acknowledged Mr. Baker Mitchell and Mr. Paul Norcross for their service on the Board and introduced Ms. Sherry Reeves and Ms. Phyllis Gibbs as new CSAB members.

**Mr. Maimone made a motion to accept the June 23, 2014 minutes. Mr. Walker seconded. The motion was passed unanimously.**

Ms. Nance read the guidelines of the subcommittees which also included the names of the chairs and the members. Mr. Maimone asked if new business could be introduced during the subcommittee meetings. Ms. Nance replied that if there was time after the agenda items were discussed, new business items could also be discussed.

CSAB adjourned into subcommittees.

## **CHARTER SCHOOL ASSUMPTION**

Mr. Philip Price informed the CSAB that the General Assembly modified how they build their budget. The ADM will not be a part of the continuation budget. Charters schools are allowed to grow 20% and the General Assembly has to create the budget in order for schools to find out if the money will be there for the growth. Mr. Price presented information that was discussed during the last SBE meeting.

- He asked the CSAB to provide input on any areas that were highlighted in red. Mr. Price stated that there were no other states that have a process to assume. There are districts that do so, but not states. The process is designed to create a process between the school and the entity that will assume the school.
- The SBE expressed concerns related to whether the process would be good for the students. Mr. Maimone commented that the important question was how to continue to support a school where there had been mismanagement and whether there were groups that could come in and fix the problem. Mr. Walker agreed and added that the schools who had gotten to that point should not have any say so on whether they should be assumed or not.
- Dr. Joel Medley added that the assumed school could appeal the recommendation and it could be an interesting thing to manage. Mr. Price replied that the assumption process had been unsuccessful in other places when it had not been cooperative. Mr. Walker commented that he did not see where litigation could be avoided. Mr. Maimone suggested that parents be given input into the due process and that could keep the process from having to go through the courts.
- Mr. Price stated that he would like to have input from the CSAB because it was going back to the SBE for action in October. Ms. Crumpler added that there were all kinds of scenarios that make this process difficult.
- **Ms. Turner made a motion that the assumption be a discussion item in the October SBE meeting to allow for more input. It was seconded by Mr. Alex Quigley. The motion passed unanimously.**

## **ELECTION OF CSAB VICE-CHAIR**

Ms. Nance stated that according to the CSAB bylaws, the vice-chair was to be elected annually. **Mr. Sanchez made a motion to nominate Mr. Quigley and it was seconded by Mr. Maimone.** Mr. Hawkes asked if there would be an opportunity to ask questions to the candidates. Ms. Nance responded that since there was only one nominated, that would not be necessary. Mr. Hawkes asked Mr. Quigley if he foresaw an equally stringent process for applications. Mr. Quigley replied that he could not speak for the entire Board and he was looking forward to norming the process as a group. **The motion passed unanimously.**

**Mr. Maimone made a motion to alter the agenda to allow subcommittees to meet and complete their discussions from the morning session. Mr. Walker seconded. The motion passed unanimously.**

**CSAB adjourned into subcommittees.**

## **SUBCOMMITTEE REPORTS**

**Policy Subcommittee:**

Mr. Walker shared the following recommendations from the Policy Subcommittee:

- For renewals, the proficiency score would be no less than 5 points of the LEA's composite score based on the EOG/EOC courses offered. There will not be an option for a 5 year renewal. Mr. Maimone asked for clarification on the academic outcomes and noted that it should not be a determining factor for the number of years that a charter is renewed. Mr. Walker replied that the information is derived from Senate Bill 793.
- For replication, a board that makes an application for multiple schools title should be changed from Fast Track because schools would still be going through the full process timeline.
- Mr. Walker stated that the next point of discussion was what schools would choose for the current round if a new board is partnering with an EMO and would be using a previously approved application or is the same application as one that is currently applying. Mr. Maimone stated if they are copying another model and they want to put the same education model in another community it is a replication. Ms. Nance concurred.
- Dr. Medley explained that there would be two application tracks going: replication of a school or a model. Ms. Nance replied that she was not comfortable with multiple schools in one year without data to show their success. Mr. Maimone commented that if the education plan was the same it was a replication and it could not be called anything else. Mr. Maimone referenced an approved motion from June 2014 in which CSAB approved a motion that applicants must provide a reference for any information that is duplicated from another application.

#### **Performance Subcommittee:**

- Mr. Maimone shared the following recommendations from the Performance Subcommittee: Mr. Maimone discussed the Charter School Application Process Detail. The application process was approved and would be used beginning this round. One of the changes is that it is a pass/fail. There would be 3 out of the 5 sections that would have to be rated a pass: education finance and governance. 50% or more of each subsection has to be checked off in order for it to pass in the over all section.
- Ms. Turner asked for clarification on if an applicant does not pass mission/purposes and needs. Mr. Maimone replied that an application could still be forwarded as long as the three aforementioned areas were passed.

Ms. Nance stated that currently there is not a meeting scheduled for October. However, many of the CSAB members requested that a meeting be scheduled. The meeting will begin at 10:00 am on October 13, 2014. The CSAB will take action on the matters that the subcommittees presented. Ms. Nance asked CSAB to keep the day following the scheduled meeting open in case there needed to be two days of discussion. Ms. Nance invited the CSAB to the Charter Institute, especially on September 7.

#### **APPLICATION UPDATE**

Dr. Deanna Townsend-Smith provided an update on the application. There are 52 applicants that were in the system and one was completed and submitted the application fee. The deadline is September 26<sup>th</sup>. To compare it to last year, there were 71 applications at this time.

### **CHARTER LAW UPDATES**

Ms. Katie Cornetto provided an overview of charter school law.

- She stated that CSAB is the only Advisory Board that is subject to the State's Ethics Act. There were a variety of ways that training could be obtained. She reviewed the Conflicts of Interest policy that was in the SBE Policy Manual. If there are any questions about whether there is a conflict of interest, CSAB members should contact Cornetto. This position cannot be used for financial gain and members are to avoid the appearance of conflicts. This group is designed to be nonpartisan. Ms. Cornetto explained if members could not make an unbiased decision about an application, then it was a conflict.
- The CSAB By-Laws were discussed. She highlighted Rule 4. Rules of Order in which the board should follow Robert's Rules of Order. Ms. Crumpler added that the cheat sheet assumed that members had read Robert's Rules. Ms. Cornetto reiterated that it was a guide. A quorum for this board is 7. She then highlighted Rule 8. Meetings of the Charter School Advisory Board. All information that is sent through email is subject to open meetings. Dr. Medley asked that CSAB notify OCS if there is a public records request.
- Mr. Maimone asked if CSAB is permitted to having a conversation through email. Ms. Cornetto replied that those conversations are permitted but decisions cannot be made.
- She discussed Rule 12. Standards of Conduct. 12.2 focuses on avoiding conflicts. 12.3 The SBE may elect not to elect any recommendation from the CSAB in violation of this provision. The CSAB can have two-thirds vote to remove a member, amendment of by-laws or the suspension of rules. She reminded everyone to get the training through Ethics Commission.

Mr. Walker made a motion to go into closed session to discuss a legal matter with the Council. Mr. Quigley seconded. The motion passed unanimously.

Mr. Maimone made a motion to come out of closed session. Mr. Walker seconded. The motion passed unanimously.

The meeting adjourned.